

# CLERK-TREASURER DEPARTMENT

To: Mark Russell  
City Council President

From: Charles E. Hagood   
Clerk-Treasurer

Date: October 1, 2012

Subject: Set Public Hearing

It is requested that the City Council set a public hearing at the October 11, 2012 City Council Meeting for October 25, 2012 City Council Meeting to hear the appeal of Mr. Daryl Williams appealing the decision of the Liquor License Review Committee denying a retail liquor lounge entertainment license to Volcano Enterprises, Inc. dba Volcano 256, at 4320 University Dr. #A at the September 20, 2012 Liquor License Review Committee Meeting.



LAW OFFICES OF

**BLANKENSHIP & ASSOCIATES, P.C.**

2015 1st AVENUE NORTH • BIRMINGHAM, AL 35203

Lucien B. Blankenship, Esq.  
Patrice L. Blankenship, Esq.

**September 24, 2012**

Dennis Cole, License Inspector  
Office of the City of Huntsville  
Clerk – Treasure  
P.O. Box 308  
Huntsville, AL 35804

**Re: Appeal of Denial of Club Volcano 256 License Application**

Dear Dennis:

Please accept this letter as formal notice of the owner of Club Volcano 256 Mr. Daryl Williams appeal of the denial of his application for Alcoholic Beverage License during your September 20, 2012 meeting.

We are asking that the action taken by your committee be set for a formal appeal hearing before the Huntsville City Council at its next regular scheduled meeting. I'm also asking that you provide me with the name and contact information of the council person whose committee this matter will be heard by along with any other information that may be required of the applicant prior to this meeting. Should you have any questions please contact my office at (205) 458-1145 or (205) 321-6233.

Sincerely,

Lucien B. Blankenship  
For the Firm

LIQUOR LICENSE REVIEW COMMITTEE MEETING  
HELD SEPTEMBER 20, 2012  
CITY COUNCIL CONFERENCE ROOM, 7th FLOOR

The Liquor License Review Committee met September 20, 2012 on the 7th floor of the City Council Conference Room with the following people present:

Dennis Cole, Chairman, Clerk-Treasurer's Office  
Sgt. Mark Roberts, Police Department  
Marie Bostick, Planning Department

Absent: Lisa Leddo, Planning Department

The following applications are to be voted on:

<u>APPLICANT</u>	<u>CLASSIFICATION</u>	<u>LOCATION</u>
Volcano Enterprises, Inc dba Volcano 256	retail liquor lounge entertainment license	4320 University Dr #A
Satish V Mahadeo dba Ruby Tuesday #3923 (new manager)	restaurant retail liquor license	4901 Whitesburg Dr
Belk, Inc. dba Karen Kane	special event license	2801 Mem Pkwy S
Belk, Inc. dba Stewart Weitzman	special event license	2801 Mem Pkwy S
Shree Amba, Inc. dba Fuel City (ownership change)	retail beer & wine off- premise only license	8511 Whitesburg Dr
Aksess, LLC dba Alabama Supermarket (ownership change)	retail beer & wine off- premise only license	712 Triana Blvd
Fast Stop, LLC dba Modern Mini Mart (new ownership)	retail beer & wine off- premise only license	4901 Meridian St
Melligan, LLC dba Jefferson's Madison (ownership change)	restaurant retail liquor license no entertainment	7193 Hwy 72 W #D & E
Boulevard Hotel Company, LLC dba Hilton Garden Inn Huntsville South (ownership change)	restaurant retail liquor license with entertainment	301 Boulevard So
Pinnacle Affairs Group, LLC dba Pinnacle Affairs Fall Fest	special event license Oct 12, 2012	320 Church St
Doris, LLC dba Hi Tech Fuel (ownership change)	retail beer & wine off- premise only license	8000 Mem Pkwy So

Zoe's Restaurant's LLC      retail beer & wine on/off    6275 University  
dba Zoe's Kitchen            premise license

The above applications were unanimously approved by this Committee with the exception of Volcano Enterprises, LLC dba Volcano 256 which was denied and Zoe's Restaurant's, LLC dba Zoe's Kitchen which was postponed due to not having a clearance from the Fire Department.

Mr. Rufus Passwater and his wife were present voicing opposition to Melligan, LLC dba Jefferson's Madison. He stated their residence was within 75 feet of this establishment with his address being Box 7203 Highway 72 West. He told the Committee he had no problems with this as a restaurant but he didn't like the liquor request. He figures the hours will change from either staying open until midnight or 2:00 am, but Chairman Cole informed him their hours of operation would be 11:00 am to 11:00 pm with no entertainment. He said it would be a food place with 90% food and 10% liquor.

Mr. Passwater stated liquor was the heavy stuff, and it could get out of control. He did inform the Committee he was in the county with the city line being 10 feet from his door.

Chairman Cole informed him there was no distance restrictions but if they had entertainment, there would be.

Sergeant Roberts told Mr. Passwater this business would center around food with people just wanting to have a beer. He said this type establishment closed early when they did not have entertainment. He said the establishment can't make money just when folks come to drink, and the police don't have problems with this type operation.

Mr. Passwater asked if this was a franchise or just a local business, and Chairman Cole said it was a franchise starting to grow.

Mr. Passwater asked Sergeant Roberts if they kept an eye on this? Sergeant Roberts informed him he could call the police any time. He did state with him located in the county there could be a little problem, but he could call and usually the police will help out.

Chairman Cole stated again there was no entertainment and that would mean no noise, and it is the same exact place as the restaurant was. The Committee voted to approve this application.

The application for Volcano was read by Chairman Cole and turned over to Sergeant Roberts for his comments. He stated this application had come up for the third time. The first time it was denied on 9-1-11 by the Fire Department. On 4-19-12 it was denied by the Zoning Department, and on 8-15-12 it was submitted again. On this date it was denied again and Sergeant Roberts stated he would give a history but Mr. Lucian Blankenship, attorney for the applicant, Mr. Williams, stated Mr. Williams was not present at this time but was enroute and was caught up in traffic. Whereupon, Chairman Cole proceeded with the other business and came back to this application last with Mr. Williams still not present.

Mr. Wiley Nunn, host of a tv show, Showcase", owner of a small business, and supporter of "Tools For Teachers", was present to speak in favor of Mr. Williams. He stated people have issues with types of

businesses, but he knows Mr. Williams personally over the last couple of years and has visited his business in Birmingham which is upstanding. He said the Committee was saying things that happened before hand but in Birmingham he has police security and has a good heart. Mr. Nunn told the Committee he had spoken to Best Wings business in the neighborhood, and he said he can't wait for it to open as far as people coming in and also the City would benefit from the revenue.

Sergeant Roberts asked Mr. Nunn if his was a local business, and his response was he was a local business.

Mr. Cedric McDaniel was also present and spoke on behalf of Mr. Williams. Mr. McDaniel said he has a tv show called "Mixed Shows", and he was a DJ. He stated he knows Mr. Williams and is for him opening this establishment here like he has in Birmingham. He said Mr. Williams has several establishments in Birmingham of the same variety.

Sergeant Roberts asked what other types of businesses Mr. Williams had in Birmingham?

Mr. Nunn stated Mr. Williams had a lounge, a pool hall, Crossroads, and lots of property. He wants a hair salon and wants to branch off in different things. He stated he sees a lot more to what he is trying to do in bringing jobs to this area, and if he thought he would bring the neighborhood down, he wouldn't recommend him. He stated Mr. Williams has a grasp on what he is trying to do.

Mr. McDaniel told the Committee Mr. Williams had property in Birmingham and right down the street is the police precinct, and the police can vouch for him. Mr. McDaniel also said he had done DJ work for him, and Mr. Williams liked to provide jobs and have steady work. He said Mr. Williams went to Alabama State and got a degree in architecture. He said Mr. Williams also has properties he rents and sells. He stated he has known him a long time and done business with him and every place is a save place.

Chairman Cole asked Attorney Blankenship if he's like to say anything, and Mr. Blankenship said he was sorry Mr. Williams was caught in traffic.

Sergeant Roberts stated the application was denied regarding the impact of the area and the history on the site activity at 4320A University Drive.

Sergeant Roberts further stated on March 25, 2011 Huntsville Police found employees from Birmingham doing construction work and not licensed, and they were bootlegging electricity. The police brought in the landlord, and he was advised and agreed he would lock up everything until it was all taken care of.

On 3-31-11 doors were open and Mr. Williams was inside and still had no license, and the Inspection Department issued a Stop Work Order.

On 4-26-11 the police get a call and find several workers inside doing demolition, and these were employees again from Birmingham with no license and permit. Two workers were arrested and pled guilty, and

Mr. Williams pled guilty to violation of the City Code. One worker possessed a handgun and drugs and is on the run for 2 outstanding arrest warrants pending failure to appear on charges of possession of marijuana and drug paraphernalia.

On 5-2-11 the Inspection Department issued a second Stop-Work Order which was ignored.

On 5-8-06 Mr. Williams was arrested for felony drug charges.

An impact study on what adult entertainment brings to a place was done, and the police were able to do calls on full impact to this one particular area. From calls to the police from 12-21-08 to 10-21-10 in the shopping center only which comprised a 22 month period, there were 87 incidents and 49 of them occurred at or were related to customers at the Silver Dollar Lounge. 32 of those crimes were drug related. The Silver Dollar Lounge was open at the time and this is 56% of the total incidents. There were 529 service calls to the shopping center premises when the club was open and 4,709 calls for service to the general area. From 10-21-08 to 8-21-12 which also comprises a 22 month period, there were 39 incidents at the same location. Only 4 were drug related, and the Silver Dollar Lounge was closed during this time frame. There were 142 service calls to the shopping center premises when the club was closed. In the general area, like apartments, there was 3,452. You can see the impact adult entertainment brings to the residents and shopping center involved. There was nothing else except all were related to the adult club.

Mr. Blankenship stated Mr. Williams was arrested and charged and found not guilty, and he can pull this information. He stated Mr. Williams never had any other history problems. He said Mr. Williams had operated his establishment, Club 205, for 15 years and had no history of any crime. The police precinct is in the area, and Mr. Williams owns a number of businesses within the area. At one time it was a high crime area until he came into the area. He stated he couldn't speak for the past of the community and the public, but Mr. Williams keeps down crime by not having people hanging outside, and he has off-duty police and a security firm and this keeps down loitering outside. He is preventive in keeping down crime. He spoke to police in Birmingham also and can get facts from them. Mr. Williams doesn't spend money unless he's concerned about this. The police monitor him close and police are not concerned about him. From an operating standpoint in regard to activity before, I understand you look strongly if he will be a business opportunity for the community. The contractors he hired he was not familiar with, and they did not get permits and were caught in the club working without permits. He doesn't know these people.

Sergeant Roberts stated these workers stated they were working for Mr. Williams.

Attorney Blankenship said Mr. Williams did recognize one of the contractors but some were subcontractors. Once that happened he realized that was the wrong direction.

Sergeant Roberts stated Mr. Williams was warned the first time he was caught, and he allowed that to continue not just one time but three times.

Attorney Blankenship stated it was his guess you had one contact and not three.

Chairman Cole told Attorney Blankenship to let the Committee make their ruling, and he would then tell him what he would need to do if Mr. Williams wished to appeal. The Police, Planning, and Clerk's Office all agreed on denial.

Chairman Cole informed Attorney Blankenship he could file a letter of appeal addressed to him by Monday and get it put on the Council agenda. A hearing will be set and the Council's decision is final.

Sergeant Roberts gave Attorney Blankenship a list of the crimes regarding this location.

Mr. Nunn returned after the meeting was adjourned and asked can there be a temporary license issued? He didn't think it was right for Mr. Williams going almost another year spending thousands of dollars and was lead to believe he would get this.

Chairman Cole informed Mr. Nunn Mr. Williams was never lead to believe that.

Sergeant Roberts stated he didn't have permits, and we didn't know he was doing construction. He said a big part is the impact study. He stated the City has zoning and this was a grandfathered in club, and if it was not under this grandfather clause, this would not be voted for. There is a school across the street. The only reason he can be allowed to put in adult entertainment is it is grandfathered in.

Mr. Nunn stated when you do studies you see what you want to see. When you do my show I can say it has other impacts like revenue and business. Thousands travel down University and the way the previous guy handled business should not be put on Mr. Williams no matter what you do and how you do your business. You are trying to just prove everybody else wrong. I understand what Sergeant Roberts is saying, but I have a different point of view. We can have adult entertainment and act civilized because I have seen this in his business. I think everybody should have a chance to prove himself.

Sergeant Roberts told Mr. Nunn it was not whether we agree or disagree, but it is the impact. This started in the 70's and this is the first time we have had to really pull numbers and see the impact on the area and the community. It is not him per se but the type of people it brings around.

Attorney Blankenship asked if they took into consideration the other businesses, and Sergeant Roberts said there were no charges.

Chairman Cole informed Mr. Nunn he could come to the Council meeting and provide his comments.

Mr. Nunn stated this had taken a long time and Sergeant Roberts said that was Mr. Williams fault.

There were no applications for introduction:

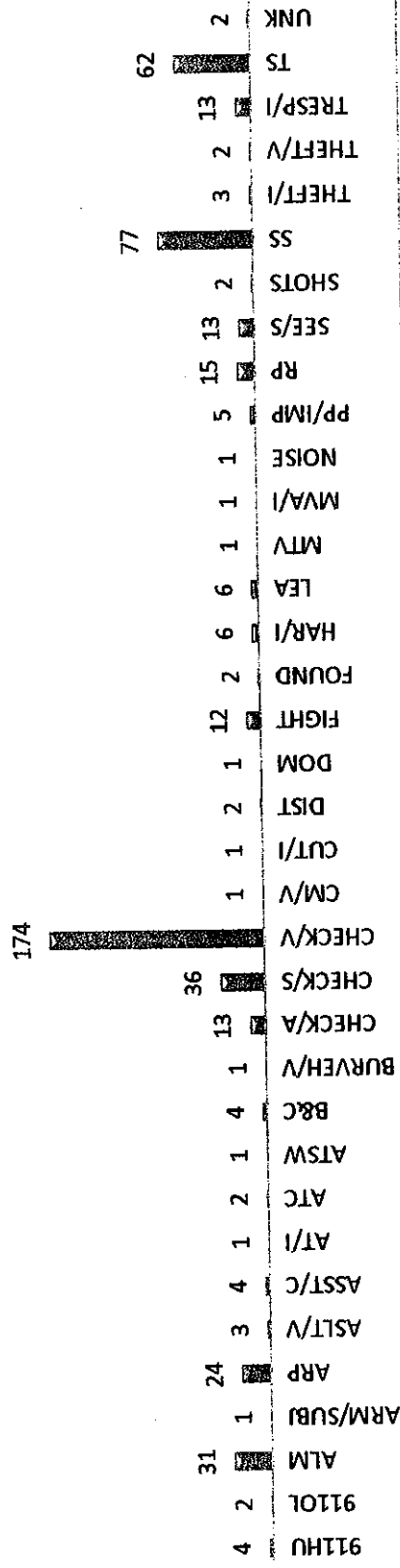
There being no further business before this Committee the meeting was adjourned.

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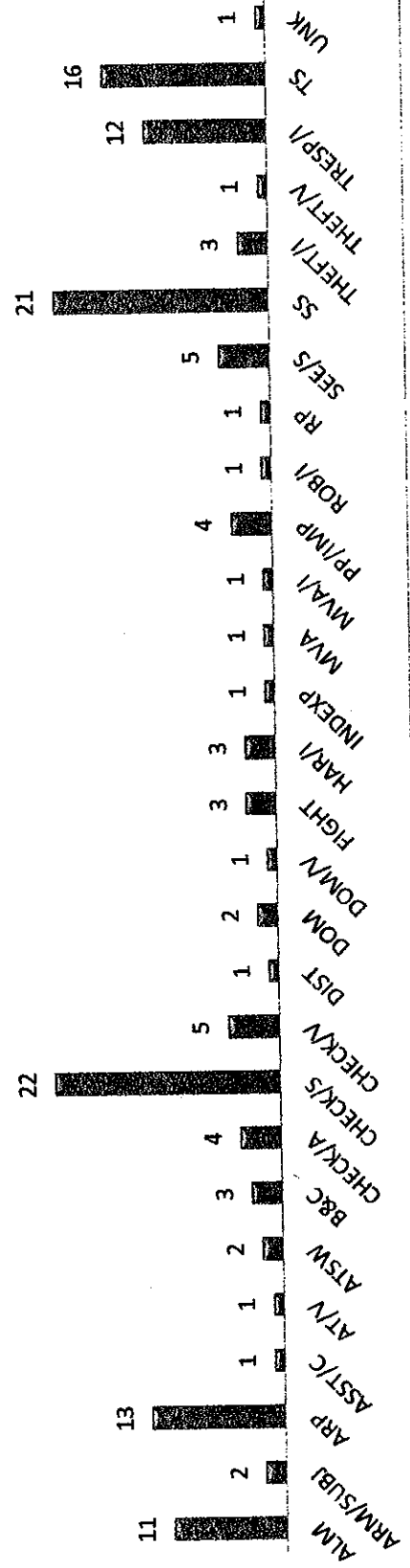
Barbara Bell, Clerk for Liquor  
License Review Committee



# **Calls for Service While Silver Dollar was Open, 529.**



# **Calls for Service While Silver Dollar was Closed, 142.**



pin	name	parcel_num	alter_parcel_num	owner
14403	NORWOOD ESTATES INC	14 08 33 4 002 073.000	031W330 45 D	NORWOOD ESTATES INC
32126	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 2 002 010.000	031W330G 1 A	CAMPBELL, ROBERT TRUSTEE & ***
4420	AMERCO REAL ESTATE CO OF ALABAMA INC	14 08 33 2 002 012.000	031W330F 10	AMERCO REAL ESTATE CO OF ALABAMA INC
5753	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 1 002 050.000	031W330H 3	CAMPBELL, ROBERT TRUSTEE & ***
8747	CITIZENS BANK & SAVINGS COMPANY INC	14 08 33 4 002 041.000	031W330 44	CITIZENS BANK & SAVINGS COMPANY INC
6119	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 2 002 008.000	031W330G 8	CAMPBELL, ROBERT TRUSTEE & ***
0464	QUEEN PROPERTIES INC	14 08 33 4 002 074.000	031W330 44 D	QUEEN PROPERTIES INC
6132	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 1 002 047.000	031W330G 9	CAMPBELL, ROBERT TRUSTEE & ***
6547	QPA LLC & ***	14 08 33 4 002 040.000	031W330 44 A	QPA LLC & ***
0748	NORWOOD ESTATES INC	14 08 33 4 002 043.000	031W330 45 B	NORWOOD ESTATES INC
32125	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 2 002 007.000	031W330G 1	CAMPBELL, ROBERT TRUSTEE & ***
8529	REED, C GWEN	14 08 33 1 002 057.000	031W330 28	REED, C GWEN
6137	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 1 002 048.000	031W330G 10	CAMPBELL, ROBERT TRUSTEE & ***
9681	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 1 002 049.000	031W330H 2	CAMPBELL, ROBERT TRUSTEE & ***
6027	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 2 002 009.000	031W330G 3	CAMPBELL, ROBERT TRUSTEE & ***
5805	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 1 002 063.000	031W330H 4	CAMPBELL, ROBERT TRUSTEE & ***
8510	BIRDSONG MEADOWS LLC & ***	14 08 33 1 002 062.000	031W330 23	BIRDSONG MEADOWS LLC & ***
8501	UNIVERSITY SHOPPING CENTER INC	14 08 33 1 002 052.000	031W330 22	UNIVERSITY SHOPPING CENTER INC
8551	INDEPENDENCE DRIVE LLC	14 08 33 1 002 061.000	031W330 29 F	INDEPENDENCE DRIVE LLC
8524	LEE, WEON J & EUN H	14 08 33 1 002 055.000	031W330 26	LEE, WEON J & EUN H
8528	FASTENRATH, SHERI A DVM & THOMAS	14 08 33 1 002 056.000	031W330 27	FASTENRATH, SHERI A DVM & THOMAS
1240	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 1 002 051.000	031W330G 4	CAMPBELL, ROBERT TRUSTEE & ***
6975	AMERCO REAL ESTATE CO OF ALABAMA INC	14 08 33 2 002 011.000	031W330F 15	AMERCO REAL ESTATE CO OF ALABAMA INC
02850	CAMPBELL BROTHERS LAND COMPANY LLC	14 08 33 4 002 042.000	031W330 45 C	CAMPBELL BROTHERS LAND COMPANY LLC
5857	CAMPBELL, ROBERT TRUSTEE & ***	14 08 33 1 002 064.000	031W330H 5	CAMPBELL, ROBERT TRUSTEE & ***
8532	ORTIZ, RAMON	14 08 33 1 002 058.000	031W330 28 A	ORTIZ, RAMON
8519	VATANI, MOHAMMAD H & LOBAT S	14 08 33 1 002 053.000	031W330 24	VATANI, MOHAMMAD H & LOBAT S
8521	VATANI, MOHAMMAD H & LOBAT SAATCHIAN	14 08 33 1 002 054.000	031W330 25	VATANI, MOHAMMAD H & LOBAT SAATCHIAN
32073	CITY BOARD OF EDUCATION OF HUNTSVILLE	14 08 33 3 000 001.000	031W330 45 A	CITY BOARD OF EDUCATION OF HUNTSVILLE
8756	QUEEN PROPERTIES INC	14 08 33 4 002 075.000	031W330 44 C	QUEEN PROPERTIES INC

To: Dennis Cole  
From: Lucien Plunkett (205) 566-6685  
Re: Volcano 256

	situs_addr	address1	city	state	zipcod
*****	*****	*****	*****	*****	*****
	4301 UNIVERSITY DR NW	C/O JAMES THORNTON - PRES	HUNTSVILLE	AL	35804
	4400 UNIVERSITY DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
1A INC	1006 PUTMAN DR NW	U-HAUL PROPERTY TAX DEPARTMENT	PHOENIX	AZ	85038
	0 BOXWOOD CT NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
/ INC	4009 UNIVERSITY DR NW	P O BOX 910	RUSSELLVILLE	AL	35653
	0 MYRTLEWOOD DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
	4323 UNIVERSITY DR NW	DBA HARDEES OF HUNTSVILLE #10	HUNTSVILLE	AL	35804
	0 LANCEWOOD DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
	1010 HENDERSON RD NW	C/O FELLERS, SCHEWE SCOTT &	ATLANTA	GA	31145
	1020 HENDERSON RD NW	C/O JAMES THORNTON - PRES	HUNTSVILLE	AL	35804
	4438 MYRTLEWOOD DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
	4294 UNIVERSITY DR NW	4294 UNIVERSITY DR	HUNTSVILLE	AL	35816
	0 MYRTLEWOOD DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
	0 BOXWOOD DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
	1401 LANCEWOOD DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
	0 BOXWOOD CT NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
	1302 BOXWOOD DR NW	2315 A BOB WALLACE AVE	HUNTSVILLE	AL	35805
	4320 UNIVERSITY DR NW	ATTN DONALD L JOHNSON - AGT	HUNTSVILLE	AL	35801
	4020 INDEPENDENCE DR NW	C/O PETER LOWE	HUNTSVILLE	AL	35801
	4298 UNIVERSITY DR NW	315 BRIDGE ST STE 103	HUNTSVILLE	AL	35816
AS	4296 UNIVERSITY DR NW	ALBERT TURNER III	HUNTSVILLE	AL	35816
	1408 LANCEWOOD DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
4A INC	4308 UNIVERSITY DR NW	U-HAUL PROPERTY TAX DEPARTMENT	PHOENIX	AZ	85038
LLC	4011 UNIVERSITY DR NW	608 CHURCH STREET	HUNTSVILLE	AL	35801
	0 MYRTLEWOOD DR NW	3313 MEMORIAL PKWY S	HUNTSVILLE	AL	35801
	4116 UNIVERSITY DR NW	1213 SUNSET DR	GUNTERSVILLE	AL	35976
	4302 UNIVERSITY DR NW	100 WBASTANCHURY RD	FULLERTON	CA	92835
CHIAN	4298 UNIVERSITY DR NW	100 W BASTANCHURY RD	FULLERTON	CA	92835
TSVILLE		4503 UNIVERSITY DR	HUNTSVILLE	AL	35816
	4319 UNIVERSITY DR NW	C/O SOUTHEASTERN DEV CO	HUNTSVILLE	AL	35804

LIQUOR LICENSE REVIEW COMMITTEE MEETING  
HELD SEPTEMBER 6, 2012  
CITY COUNCIL CONFERENCE ROOM, 7th FLOOR

The Liquor License Review Committee met September 6, 2012 on the 7th floor of the City Council Conference Room with the following people present:

Dennis Cole, Chairman, Clerk-Treasurer's Office  
Sgt. Mark Roberts, Police Department  
Marie Bostick, Planning Department

Absent: Lisa Leddo, Planning Department

The following applications are to be voted on:

<u>APPLICANT</u>	<u>CLASSIFICATION</u>	<u>LOCATION</u>
A & M Oil Co., LLC dba North Parkway Chevron (additional schedule)	retail wine off-premise only license	4964 Mem Pkwy N
Charles Edward Briggins, II dba Ruby Tuesday #6173 (new manager)	restaurant retail liquor license	11594 Mem Pkwy S
Volcano Enterprises, Inc dba Volcano 256	retail liquor lounge entertainment license	4320 University Dr #A

The above applications were unanimously approved by this Committee with the exception of Volcano Enterprises, LLC dba Volcano 256.

This application was postponed after Chairman Cole conferred with their attorney, Mr. Lucien Blankenship, and it was noted proper notification had not been sent to surrounding neighbors as required. This application will be placed on the next meeting agenda to be held September 20, 2012, in order to give the applicant ample time to notify neighbors and to turn in the required addresses.

The following applications were for introduction only:

<u>APPLICANT</u>	<u>CLASSIFICATION</u>	<u>LOCATION</u>
Aksess, LLC dba Alabama Supermarket (ownership change)	retail beer & wine license off-premise only	712 Triana Blvd
Fast Stop, LLC dba Modern Mini Mart (new ownership)	retail beer & wine license off-premise only	4901 Meridian St
Shree Amba, Inc. dba Fuel City (ownership change)	retail beer & wine license Off-premise only	8511 Whitesburg Dr
Melligan, LLC dba Jefferson's Madison (ownership change)	restaurant retail liquor license no entertainment	7193 Hwy 72 W #D & E

Satish V Mahadeo dba Ruby Tuesday #3923 (new manager)	restaurant retail liquor license	4901 Whitesburg Dr
Boulevard Hotel Company, LLC dba Hilton Garden Inn Huntsville South (ownership change)	restaurant retail liquor license with entertainment	301 Boulevard So
Pinnacle Affairs Group, LLC dba Pinnacle Affairs	special event license 10-12-12	320 Church St
Doris, LLC dba Hi Tech Fuel (ownership change)	retail beer & wine off- premise only license	8000 Mem Pkwy So
Belk, Inc. dba Karen Kane	special event license	2801 Mem Pkwy So
Belk, Inc. dba Stewart Weitzman	special event license	2801 Mem Pkwy So
Zoe's Restaurant's, LLC dba Zoe's Kitchen	retail beer & wine on/off premise license	5275 University Dr #19A

There being no further business before this Committee the meeting was adjourned.

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Barbara Bell, Clerk for Liquor  
License Review Committee

LIQUOR LICENSE REVIEW COMMITTEE MEETING  
HELD AUGUST 16, 2012  
PLANNING DEPARTMENT, 7th FLOOR

The Liquor License Review Committee met August 16, 2012 on the 2nd floor of the Planning Department with the following people present:

Dennis Cole, Chairman, Clerk-Treasurer's Office  
Sgt. Mark Roberts, Police Department  
Marie Bostick, Planning Department

Absent: Lisa Leddo, Planning Department

The following application is to be voted on:

<u>APPLICANT</u>	<u>CLASSIFICATION</u>	<u>LOCATION</u>
Greenbrier Fuel City, Inc. dba Greenbrier Fuel City	retail beer & wine off- premise only license	6681 Swancott Rd

The above application was unanimously approved by this Committee.

The following applications were for introduction only:

<u>APPLICANT</u>	<u>CLASSIFICATION</u>	<u>LOCATION</u>
A & M Oil Co., LLC dba North Parkway Chevron (additional schedule)	retail wine off-premise only license	4964 Mem Pkwy N
Belk, Inc. dba Fashion Night Out/Girls Night Out	special events wine license Sept 6 & 12, 2012	2801 Mem Pkwy S
Charles Edward Briggins, II dba Ruby Tuesday #6173 (new manager)	restaurant retail liquor license	11594 Mem Pkwy S
Volcano Enterprises, LLC dba Volcano 256	retail liquor lounge entertainment license	4320 University Dr #A

There being no further business before this Committee the meeting was adjourned.

\_\_\_\_\_  
Barbara Bell, Clerk for Liquor  
License Review Committee

LJ

**City of Huntsville, Alabama  
Supplemental Privilege License Application  
Approval for Alcoholic Beverage**

New Establishment                      XXX                      Location Change  
Ownership Change                      Classification Change

Taxpayer Name:                      Volcano Enterprises LLC  
Location Trade Name:                      Volcano 256  
Location Address:                      4320 University Drive #A, Huntsville Al. 35816  
Date of Application:                      August 15, 2012

License Classification:                      Lounge Retail Liquor-with entertainment)

DEPARTMENT	RECOMMENDATION	AUTHORIZED SIGNATURE	DATE
Clerk Treasurer	<u>Denied</u>	<u>Dennis G. Cole</u>	<u>9-20-12</u>
Police	<u>Denied</u>	<u>Mark Ralut</u>	<u>9-20-12</u>
Planning	<u>Denied</u>	<u>Jeff M. Bosik</u>	<u>9-20-12</u>
Fire	<u>Approved</u>	<u>SEE ATTACHMENT</u>	<u>8/22/12</u>
Fire	Seating Capacity # _____		
Finance	<u>Approved</u>	<u>SEE ATTACHMENT</u>	<u>8/28/12</u>
Zoning (Planning)	<u>L.I.</u>	<u>Lisa L. Seddo</u>	<u>8/21/12</u>
Zoning Adm.	# Parking Spaces <u>COMMON</u>	<u>C. Mac McArthur</u>	<u>8/29/12</u>
* Zoning Adm.	Permitted Use <u>YES</u>	<u>C. Mac McArthur</u>	<u>8/29/12</u>
Health	Permit #47-01- _____	Letter of Intent _____	

**REMARKS/COMMENTS:**

This applicant would like for the City of Huntsville to approve a Lounge Retail Liquor with entertainment license at this location. This location held a 2010 license for this same classification under the name R G Entertainment Inc. #8692 d/b/a Silver Dollar. This establishment closed December 31, 2010. This same applicant was denied this license 4/19/12, for being within 500ft of a residential zone.

\* APPLICANT APPLIED FOR BUSINESS LICENSE WITH IN A SPECIFIED TIME. Ken

Dennis G. Cole  
Dennis G. Cole  
License Inspector

**City of Huntsville, Alabama**  
**Supplemental Privilege License Application**  
**Approval for Alcoholic Beverage**

New Establishment	XXX	Location Change
Ownership Change		Classification Change

Taxpayer Name: Volcano Enterprises LLC  
Location Trade Name: Volcano 256  
Location Address: 4320 University Drive #A, Huntsville AL 35816  
Date of Application: August 15, 2012

License Classification: Lounge Retail Liquor-with entertainment)

DEPARTMENT	RECOMMENDATION	AUTHORIZED SIGNATURE	DATE
Clerk Treasurer			
Police			
Planning			
Fire			
Fire	Seating Capacity #		
Finance	approve	Stacy Noblitt	8/28/12
Zoning (Planning)			
Zoning Adm.	# Parking Spaces		
Zoning Adm.	Permitted Use		
Health	Permit #47-01-	Letter of Intent	

**REMARKS/COMMENTS:**

This applicant would like for the City of Huntsville to approve a Lounge Retail Liquor with entertainment license at this location. This location held a 2010 license for this same classification under the name R G Entertainment Inc. #8692 d/b/a Silver Dollar. This establishment closed December 31, 2010. This same applicant was denied this license 4/19/12 for being within 500ft of a residential zone.



Dennis G. Cole  
License Inspector



**City of Huntsville, Alabama  
Supplemental Privilege License Application  
Approval for Alcoholic Beverage**

New Establishment                      XXX                      Location Change  
Ownership Change                      Classification Change


Taxpayer Name:                      Volcano Enterprises LLC  
Location Trade Name:                      Volcano 256  
Location Address:                      4320 University Drive #A, Huntsville AL 35816  
Date of Application:                      August 15, 2012

License Classification:                      Lounge Retail Liquor-with entertainment)

DEPARTMENT	RECOMMENDATION	AUTHORIZED SIGNATURE	DATE
Clerk Treasurer	_____	_____	_____
Police	_____	_____	_____
Planning	_____	_____	_____
Fire	<i>Approved</i>	<i>Mike Jones</i>	<i>8-22-12</i>
Fire	Seating Capacity # <i>To be determined</i>		
Finance	_____	_____	_____
Zoning (Planning)	<i>L.I.</i>	<i>Lisa L. Leddo</i>	<i>8/21/12</i>
Zoning Adm.	# Parking Spaces _____	_____	_____
Zoning Adm.	Permitted Use _____	_____	_____
Health	Permit #47-01- _____	Letter of Intent _____	

**REMARKS/COMMENTS:**

This applicant would like for the City of Huntsville to approve a Lounge Retail Liquor with entertainment license at this location. This location held a 2010 license for this same classification under the name R G Entertainment Inc. #8692 d/b/a Silver Dollar. This establishment closed December 31, 2010. This same applicant was denied this license 4/19/12 for being within 500ft of a residential zone.

  
Dennis G. Cole  
License Inspector

**City of Huntsville  
Alcoholic Beverage License  
Supplemental Application**

**Liquor:** Restaurant Retail (No Entertainment) \_\_\_\_\_ Restaurant Retail (With Entertainment) \_\_\_\_\_  
Lounge Retail (No Entertainment) \_\_\_\_\_ Lounge Retail (With Entertainment) ☒  
Retail Package \_\_\_\_\_ Special Event \_\_\_\_\_ Special Retail \_\_\_\_\_ Club \_\_\_\_\_

**Malt or Brewed Beverage:**

Retail Beer Off-Premise \_\_\_\_\_ BrewPub \_\_\_\_\_ Special Event \_\_\_\_\_ Special Retail \_\_\_\_\_  
Retail Beer On/Off Premise (With Food) \_\_\_\_\_ Retail Beer On/Off Premise (Without Food) \_\_\_\_\_  
Retail Beer On/Off Premise (With Food and Entertainment) \_\_\_\_\_  
Manufacturer \_\_\_\_\_ Warehouse \_\_\_\_\_ Wholesale \_\_\_\_\_

**Wine:** Retail Wine Off-Premise \_\_\_\_\_ Pub \_\_\_\_\_ Special Event \_\_\_\_\_ Special Retail \_\_\_\_\_  
Retail Wine On/Off Premise (With Food) \_\_\_\_\_ Retail Wine On/Off Premise (Without Food) \_\_\_\_\_  
Retail Wine On/Off Premise (With Food and Entertainment) \_\_\_\_\_  
Manufacturer \_\_\_\_\_ Warehouse \_\_\_\_\_ Wholesale \_\_\_\_\_

**I. OWNING ENTITY INFORMATION:**

Individual \_\_\_\_\_ Corp. ☒ Partnership \_\_\_\_\_ L.L.C. \_\_\_\_\_

A. Federal Tax ID# 63-1278428 NAICS Code \_\_\_\_\_

B. Name of Applicant(s) Volcano Enterprises Inc.

C. List all persons having any ownership interest in this business or list Corporate Officers:

NAME	TITLE	% OWNERSHIP
<u>Darryl D. Williams</u>	<u>Owner</u>	<u>100%</u>
_____	_____	_____
_____	_____	_____

D. Corporations must give the place and date of incorporation or issuance of Certificate of Authority from the Secretary of State to do business in the State of Alabama.

County of Record	Date Recorded	Book #	Page #
_____	_____	_____	_____

E. Attach a copy of the corporation papers or Certificate of Authority.

F. List Name of the manager(s) Darryl D. Williams / Kendrick T. Lightfoot

G. Has the owning entity ever had an Alcoholic Beverage License in the City of Huntsville before?

Yes \_\_\_\_\_ No ☒ If yes, explain \_\_\_\_\_

H. Has the owning entity (or any share holder if this is a corporation) ever had an Alcoholic Beverage License revoked, suspended or denied before? Yes \_\_\_\_\_ No ☒ If yes, attach a letter of explanation.

II. LOCATION INFORMATION:

- A. Business Name: Volcano 256
- B. Location Address: 4320 University Drive, Unit A
- C. Business Mailing Address: Same
- D. Date ownership of business changed: 2/1/11
- E. Previous ownership, business name, and license number of the last license at this location. R.G. Entertainment Inc. #8692
- F. Name of landlord/owner, address, and telephone number, of the property where this license is desired. Danny Johnson 213 Rindon Ln. Hazel Green 256-590-2565
- G. List all types of entertainment, and all other activities desired at this location. Dancers
- H. Does any person listed on this application have any pecuniary interest, either directly or indirectly, with any other business establishment that has an alcoholic beverage license in the city of Huntsville?      If yes, please attach a statement with the name and address of the business and describe the extent of the interest.

III. PROPERTY INFORMATION:

- A. State square footage and give a brief description of the building structure 5500 Sq. Ft.
- B. Number of parking spaces available at this location. 60
- C. Total seating capacity of business establishment 150
- D. Will there be outdoor/patio seating? NO If so, attach a detailed drawing of outside seating plan.
- E. Estimated percentage of food and/or grocery sales: 0 %, and beverage sales: 100 %.
- F. List the business hours of operation 4:00 p.m. to 2:00 a.m.
- G. List the hours of alcoholic beverage sales 4:00 p.m. to 2:00 a.m.

I hereby swear or affirm that the information contained in this application is true and correct. I also swear or affirm that there are not any hidden partners, shareholders, or others with any hidden interest in this business.

Danny Johnson  
Signature of Applicant

Sworn to and subscribed before me this 15<sup>th</sup> day of August, 2012.

Antoinette J. Pump  
Notary

June 5, 2015

Date Commission Expires

## **Alcoholic Beverage Background Request**

**Date:** August 20, 2012  
**Applicant:** Volcano Enterprises LLC  
**D.B.A.** Volcano 256  
**Location Address:** 4320 University Drive #A  
**Applying for:** Lounge Retail Liquor - Entertainment

**Please do a background check on the following person(s).**

<b>Daryl DeJuan Williams</b> <b>AL DL# 5202372</b>	<b>M</b>	<b>04/09/66</b>	<b>B</b>
<b>Kendrick Teowon Lightfoot</b> <b>AL DL# 7163268</b>	<b>M</b>	<b>12/04/84</b>	<b>B</b>

**Thanks**  
**Dennis**

#### IV. BACKGROUND INFORMATION SHEET FOR CITY OF HUNTSVILLE ALCOHOLIC BEVERAGE LICENSE SUPPLEMENTAL APPLICATION:

A background information sheet must be completed for each person(s) listed in Section I - B, C, & F. Failure to complete a Background Information Sheet for any person listed will result in a delay of the approval process or possible denial of this application.

Full Name Daryl Dejuan Williams SSN [REDACTED]  
Place of Birth Detroit Michigan Date of Birth 4-9-66  
Are you a US Citizen? Yes If naturalized, state when and where \_\_\_\_\_  
Present Address 836 Spring Street, Birmingham, AL 35214  
Length of Time at this Address 40 years Home Phone # \_\_\_\_\_  
Contact Numbers: Work # (205) 410-3888 Cell # (205) 410-3888 Business # (205) 410-3888  
Present Employer and Address \_\_\_\_\_  
Present Position/Title \_\_\_\_\_

Marital Status Married If married give spouse's full name and address (include maiden name)  
Monica Howard Williams 836 Spring Street, B'Ham, AL 35214  
Show spouse's place of employment and address. Home Maker

Attach a copy of your current driver's license to assist HPD in making a positive identification for a background check.

List four Personal References (giving full name, current address and telephone number):

1. Keita Clay 4148 Woodridge Lane, 35217 Pleasant Grove, Alabama 529-6066
2. Ebony Clay 4148 Woodridge Lane, 35217 Pleasant Grove, Alabama 305-1952
3. James Matthews 305 Denniston Lane, Adamsville, Alabama 678-8737
4. Patricia Yarbrough 1105 Hampton Place, Hoover, AL (205) 249-0693

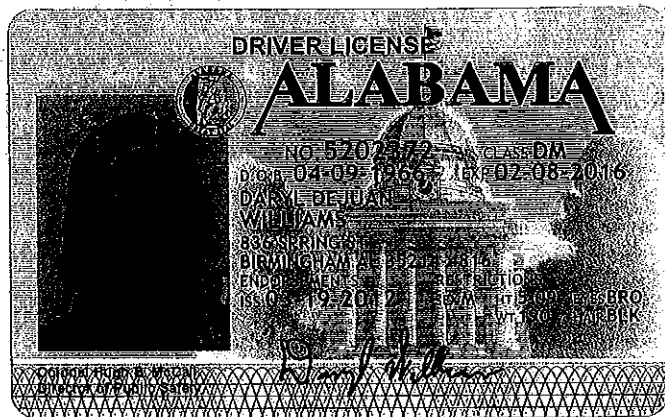
#### JUDICIAL HISTORY:

List all convictions other than minor traffic violations. Failure to properly list convictions may result in the denial of the application.


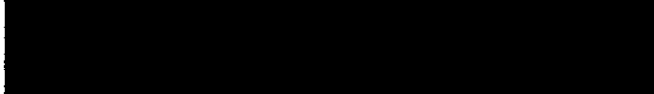
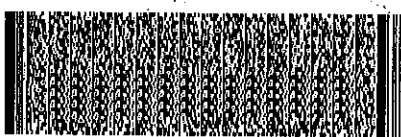
Violation	Jurisdiction / Court	Date of Case	Disposition
_____	<u>No</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Daryl Williams

Signature of Applicant



rd 61

0000000001787376401	
	
<b>DARYL DEJUÁN WILLIAMS</b> <b>CLASS: D-Regular Operators License</b> <b>CLASS: M-Motorcycle</b>	
<b>ENDORSEMENTS:</b> <b>RESTRICTIONS:</b>	
	<b>Rev 11-06-2009</b> <b>5202372 - 0</b>

**BACKGROUND INFORMATION SHEET FOR CITY OF HUNTSVILLE ALCOHOLIC BEVERAGE LICENSE SUPPLEMENTAL APPLICATION:**

A background information sheet must be completed for each person(s) listed in Section I - C, D & G. Failure to complete a Background Information Sheet for any person listed will result in a delay of the approval process or possible denial of this application.

Full Name Kendrick Teowon Lightfoot SSN [REDACTED]  
Place of Birth Huntsville, Alabama Date of Birth 12-04-1984  
Are you a US Citizen? Yes If naturalized, state when and where \_\_\_\_\_  
Present Address 540 Palisades Drive 304A  
Length of Time at this Address 3 years Home Phone # \_\_\_\_\_  
Contact Numbers: Work # \_\_\_\_\_ Cell # (205) 223-7996 Business # \_\_\_\_\_  
Present Employer and Address Club Volcano 514-19<sup>th</sup> Street Ensley, Alabama  
Present Position/Title Coordinator/Manager  
Marital Status Single If married give spouse's full name and address (include maiden name) \_\_\_\_\_

Show spouse's place of employment and address. \_\_\_\_\_

Attach a copy of your current driver's license to assist HPD in making a positive identification for a background check.

List four Personal References (giving full name, current address and telephone number):

1. Valtez Hanson 705 Brownsferry St. Athens, AL 35611 (205) 413-7579
2. Preston Davis 412 Riley Avenue, Birmingham, AL 35201 (205) 422-5893
3. Amarie Nance Williams 1804 Carson Lane, Huntsville, AL 35816 (256) 684-4303
4. Brittany Martin 2107 Winslow Lane, Huntsville, AL 35816 (256) 797-0996

**JUDICIAL HISTORY:**

List all convictions other than minor traffic violations. Failure to properly list convictions may result in the denial of the application.

Violation	Jurisdiction / Court	Date of Case	Disposition
<u>- NA -</u>	_____	_____	_____
<u>- NA -</u>	_____	_____	_____
<u>- NA -</u>	_____	_____	_____

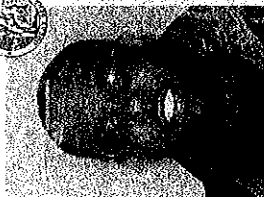
Daryl Williams

Signature of Applicant



DRIVER LICENSE

ALABAMA



NO. 7163268

CLASS D

D.O.B. 12-04-1984

EXP 03-06-2016

KENDRICK TEOWON

LIGHTFOOT

6308 RIME VILLAGE DRIVE APT 402

HUNTSVILLE AL 35806

ENDORSEMENTS

RESTRICTIONS

ISS 03-07-2012

SEX M

HT 6-00

EYES BRO

WT 300

HAIR BLK

*[Signature]*

Colonel Hugh B. McCall  
Director of Public Safety

00000000170221101

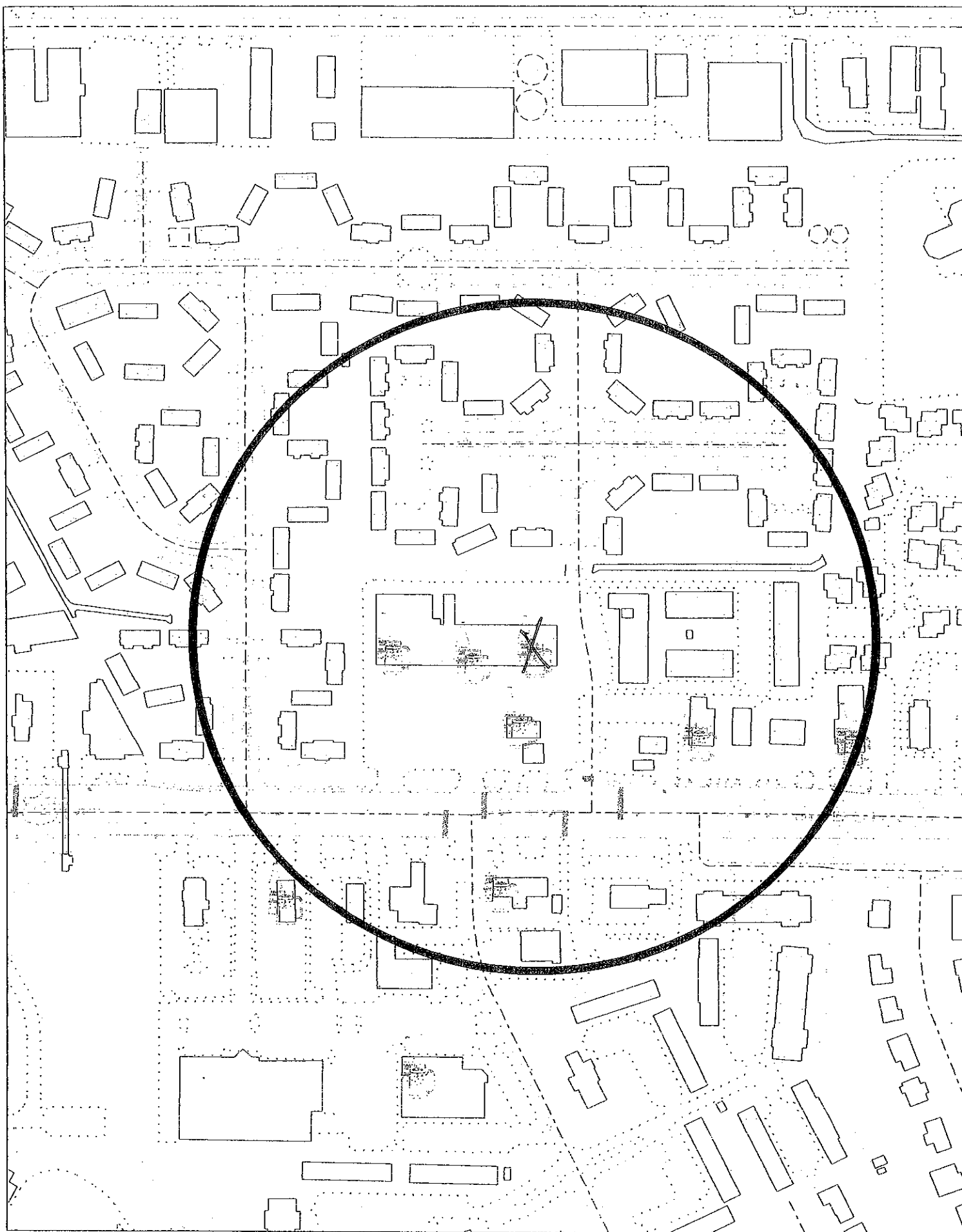
KENDRICK TEOWON LIGHTFOOT  
CLASS: D-Regular Operators License

ENDORSEMENTS:  
RESTRICTIONS: A-Corrective Lenses



Rev 11-06-2009  
7163268 - 0





Scale: 1 IN = 250 FT

*Geographic Information Systems (GIS)*